



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

JUN 20 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Montgomery
Coastal Energy Corporation
1 Coastal Drive
Willow Springs, MO

Re: Request for Information – Coastal Energy Corporation

Dear Mr. Montgomery:

The U.S. Environmental Protection Agency hereby requires the owner/operator of the Coastal Energy Corporation facility located in Willow Springs, Missouri, to provide certain information as part of an EPA investigation of the facility's current and past compliance with the Section 112(r) of the Clean Air Act (as amended), and its implementing regulations found at 40 C.F.R. Part 68, the release reporting requirements of Section 104 of the Comprehensive Environmental Response Compensation and Liability Act, and the release reporting requirements of the Emergency Planning and Community Right-to-Know Act.

Pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), and Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), the Administrator of the EPA is authorized to require any person who owns and/or operates an emission source to establish and maintain records, make reports and provide such other information as s/he may reasonably require for the purposes of determining whether such person is in violation of any provision of the Act. In order for the EPA to determine the owner/operator's compliance with the Act, you are hereby required, pursuant to Section 114(a) of the CAA and Section 104(e) of CERCLA, to provide responses to the Information Request in Enclosure 1 regarding the above mentioned facility within **seven (7) calendar days** of receipt of this letter. This deadline for submittal must be complied with unless a written extension or stay of the deadline for response has been provided by the agency. All information submitted in response to this request must be certified as true, correct, accurate, and complete by an individual(s) with sufficient knowledge and authority to make such representations on behalf of the owner/operator of the Coastal Energy Corporation facility.

Failure to provide the required information may result in the issuance of an Order requiring the owner/operator to comply with this letter, or the initiation of a civil action pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b) or Section 104(e) of CERCLA, 42 U.S.C. § 9604(e). Furthermore, failure to timely, accurately, and completely respond to the request may subject the owner/operator to further civil and criminal penalties. Please note that the agency reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the information, whether or not the violation was subsequently corrected.

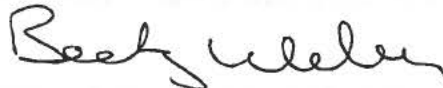
You are entitled to assert a business confidentiality claim, covering all or part of the information which this letter requires, except that no claim can be made with respect to emission data as defined at 40 C.F.R. § 2.301(a)(2). Any such claim should be made in accordance with the procedures described at 40 C.F.R. § 2.203(b). The agency will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. The agency may only provide the public with any information not subject to such a claim without further notice. The required submission of information pursuant to Section 114 of the CAA or Section 104 of CERCLA is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Please submit your response to this request to:

George Hess
Case Review Officer
U.S. Environmental Protection Agency Region 7
AWMD/CRIB
11201 Renner Boulevard
Lenexa, Kansas 66219.

If you have any questions relating to this information request, contact George Hess, Chemical Risk Information Branch, Air and Waste Management Division, at (913) 551-7540 or Kristen Nazar, Office of Regional Counsel, at (913) 551-7450.

Sincerely,



Becky Weber
Director
Air and Waste Management Division

Enclosure

ENCLOSURE 1
INFORMATION REQUEST

For the purposes of this information request, the definitions set forth in Section B shall apply and should be considered carefully by you in preparing your responses.

A. INSTRUCTIONS:

- 1) Your response must be provided within seven (7) calendar days of receipt of this Information Request. This deadline for submittal must be complied with unless a written extension or stay of the deadline for response has been provided by EPA.
- 2) Perform a thorough and complete search for all information in the company's possession, custody, and/or control for information that is responsive to this Information Request. This includes all information that may be in the possession of a third party which the owner/operator has the right or ability to obtain upon request or demand. This also includes the obligation to provide written descriptions of responsive information that are based on the personal knowledge of employees of the owner/operator; including, but not limited to, yourself and/or other employees that worked at, or supervised the operations of the referenced Facilities.
- 3) Provide each response to each question/request in accordance with the schedule for response and any other instructions specifically set forth for that question/request.
- 4) Provide a separate narrative response to each and every question and subpart of a question set forth in this Information Request.
- 5) Precede each answer with the number of the question/request to which it corresponds.
- 6) Identify the person(s) responding on your behalf to each numbered item in this Request for Information, including their name, title or position, and organization.
- 7) For each and every question in this Information Request, identify all documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the question and provide true and accurate copies of all responsive documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide a narrative response to the request/question.)
- 8) For each document produced in response to the Information Request, indicate on the document, or in some other reasonable manner, the number of the question/request to which it responds.
- 9) For each and every question in the Information Request, identify all persons consulted in the preparation of the answer.
- 10) If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.

- 11) If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- 12) If at any time after you submit your response, you find that any part of the information you submitted is incomplete, inaccurate or misrepresents that facts, you must notify EPA immediately.
- 13) The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. The owner/operator may assert a confidentiality claim covering part or all of the information requested, pursuant to 40 C.F.R. § 2.203(b) by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Information covered by such a claim will be disclosed by the EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public without further notice to the owner/operator.
- 14) The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders. All documents must be submitted in a legible and readable form.
- 15) Each transmittal of information provided by the owner/operator in response to this Information Request shall be accompanied by a completed and signed Statement of Certification (Set forth hereto in Section D), signed by a responsible corporate officer for the owner/operator.

B. DEFINITIONS:

All terms used in this Information Request will have their ordinary meaning unless such terms are defined in the CAA, CERCLA, EPCRA, or implementing regulations. Definitional clarification is specified below.

- 1) "Document" means written documentation of any kind, including documentation solely in electronic form. It includes any document in the possession or control of the owner/operator or in the possession or control of any person or entity hired by the owner/operator. A copy of a document rather than the original may be provided.
- 2) The terms "person" or "persons" shall have the meaning set forth in Section 302(e) of the Act, 42 U.S.C. § 7602(e), and include an individual, corporation, partnership, association, state, municipality, political subdivision of a state, and any agency, department, or instrumentality of the United States and any officer, agent or employee thereof.
- 3) The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to the information requested.
- 4) The terms "you" or "your" as used in each of the questions set forth in the attached Information Request, refer to, and shall mean, the owner/operator of the Coastal Energy Corporation facility located in Willow Springs, Missouri, and each company or corporation with which the owner/operator of the facility is affiliated, including its subsidiaries, divisions, affiliates, predecessors, successors, assigns, and its former and present officers, directors, agents, employees, representatives, attorneys, consultants, accountants and all other persons acting on its behalf.
- 5) The term "facility" shall be inclusive of the meaning of the term "stationary source," as defined by 40 C.F.R. 68.3, and shall include "any buildings, structures, equipment, installations or substances emitting stationary activities which belong to the same industrial group, are located on one or more contiguous properties, are under the control of the same person, and from which an accidental release may occur."

C. INFORMATION REQUEST:

The following information requested pursuant to Section 114 of the CAA and Section 104 of CERCLA:

- 1) What substance(s) is/are stored in the bullet or pressure vessels in the northwest area of the facility?
- 2) What was the maximum quantity of the substance(s) stored in each bullet/vessel for each calendar year since 2009. In addition to the quantity, please provide all shipping documents as well as Material Safety Data sheet(s)/Safety Data Sheets, MSDS/SDS for this/these substance(s) since 2009.
- 3) Provide a photograph of each vessel data plate and a copy of the U-1A form(s) from the bullet/vessel manufacture if in your possession.
- 4) Describe the purpose of these bullets/vessels (i.e. used on site for fuel, sold wholesale, sold retail etc.).
- 5) How many years have the bullets/vessels been used on the facility?
- 6) What industry code/standards were used for the design/construction of each bullet/vessel? What current codes/standards are used to operate the bullets/vessels?
- 7) What is the maximum number of employees that have been working at the facility in calendar year 2011, 2012, and 2013 and currently? If part time employees are/were present, add up each person's hours and divide by 2,000 hours. One employee is equal to 2,000 hours.
- 8) What is the maximum number of contractors (excluding contracted truck drivers) that have been working at the facility in calendar year 2011, 2012, and 2013 and currently? If part time employees are/were present, add up each person's hours and divide by 2,000 hours. One employee is equal to 2,000 hours.
- 9) Has your facility had a release to air, water, or land since 2009? If so, please state the substance and the quantity released.

D: STATEMENT OF CERTIFICATION

Coastal Energy Corporation is submitting the enclosed documents in response to EPA's request for information to determine whether the owner/operator is in compliance with the Clean Air Act, including Risk Management Program requirements, and the reporting requirements of CERCLA and EPCRA.

I am a responsible officer of _____.

I certify under penalty of law that I have personally examined and am familiar with, the statements and information submitted in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, correct, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information, or omitting required statements and information, including the possibility of fine or imprisonment.

Date: _____

Signature: _____

Name: _____

Title: _____

